

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

May 27, 2009

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Casasanta
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pruett
Commissioner Schatz
Commissioner Aieta
Commissioner Camerota
Commissioner Lenares

Commissioners Absent

Commissioner Pane

Staff Present

Ed Meehan, Town Planner

Commissioner Lenares was seated for Commissioner Pane.

II. PUBLIC HEARINGS

None.

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes)

None.

IV. MINUTES

May 13, 2009 – Regular Meeting
May 13, 2009 – Special Meeting

Commissioner Pruett moved to accept the minutes of the May 13, 2009 Regular Meeting and the May 13, 2009 Special Meeting. The motion was seconded by Commissioner Ganley. The vote was unanimously in favor of the motion with seven voting YES.

V. COMMUNICATIONS AND REPORTS

- A. 8-24 Referral – Municipal Parking Lot Improvement Project – Site Plan Layout, Report to Town Council.

Chairman Hall: Ed?

Ed Meehan: The first item is the 8-24 Referral for the Municipal Parking Lot. There is a staff report on the table and also graphics to share with the Commission. If you would like to take a minute to look at the staff report I can just summarize it for you, whatever your choice is, to move you along through the process.

Chairman Hall: I think many of us have either been to meetings or followed along with the process for a period of time.

Ed Meehan: If I could just take a minute to talk about the 8-24 referral. The requirements that local Planning and Zoning Commissions have under the statutes is to review referrals from the municipality's legislative body, which in Newington's case is the Town Council on items such as property acquisitions, sale of municipal property, leases, easements, substantial capital improvements, such as roads, parks, schools, municipal parking lots, those type of items which the purpose of the statute is to bring those over to the planning commission side so that the planning commission members can offer back to the legislative body a longer range perspective as to how the acquisition of the development project, the capital improvement fits in with the Plan of Development or any special reports that may have been done over the years, the Plan of Development is every ten years, so any special reports that may have been done in the interim, so in the instance of this referral tonight, you should look at this in light of your town Plan of Development. Various special projects have been done in concert with the Plan of Development, or apart from it for the last ten years and then return your report to the Town Council. First of all there are property acquisitions and easements, and then beyond that the major investment to the community is the improvements to the lot. I also said in my staff report I think you have a role here because of this Commission's expertise and familiarity with site plan process for development projects, that's the role of this Commission, design standards, drainage reports, landscaping, utilities and so forth would be another area where the Council would benefit from your comments.

Chairman Hall: Any questions for Ed right off the bat that anyone sees?

Commissioner Ganley: Does this mean this is blocked off? If you were driving, that is blocked, I can't interpret what that particular square.....

Ed Meehan: No, those are surface textured treatments of stamped concrete or bituminous, or brick pavers, traffic calming. I'll walk you through that. Maybe I should spend a minute on the evolution of this. This plan that you have before you, the concept was developed last fall, shortly after the company, BL Engineering Architectural was retained. They came up with some concept alternates that were discussed both by the Downtown Revitalization Committee and the Economic Development Commission. They were brought to informational meetings prior to the Christmas holidays and then again on January 15th. I think in a couple of our TPZ meetings we had the concept plans up, and under staff reports I provided information on where the project was. Following the last informational meeting In January I went to a joint meeting of the Downtown Revitalization Committee and Economic Development and the comments of the residents and the businesses were discussed, and direction was given back to BL to modify the

concept plan and to move it one step further from concept to schematic and to start fleshing out some of the design issues.

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One of the issues that was first and foremost on the table was the access issue of getting fire apparatus and snow plows in there because the concept plan was reducing the width of the travel ways, these are now thirty foot travel ways and the concept plan was recommending bringing them down to twenty-four feet, a standard travel way for a parking lot. That was one of the first questions, so BL was charged with doing a CAD drawing, a computer aided draft drawing showing all the turning movements. That exercise was very beneficial in the sense that it pointed up maybe five or six areas where our large aerial truck would have problems getting in so they went back to the drawing boards and they adjusted those radius on the islands and the travel ways, particularly coming in from Constance Leigh. We're leaving that as is, the same width as it is now. The proposed sidewalk would be on the north side where there is an embankment just below Sovereign Bank's parking area, but that stays the same. We would like to have one way in and the possibility of two ways out. Not a lot of storage, but you can still get out that way. It doesn't get narrower until you get past this island here where it begins to shrink down to twenty-four feet and that is to provide a sidewalk along the north side of the parking lot which is not there now. There are miscellaneous curb cuts into private parking lots, but there is no sidewalk connection from Constance Leigh into the parking lot. So that means that this gets a little narrower and the existing islands would be adjusted. All the rest of these are standard twenty-four foot travel ways. What we did determine further on in the process, we met with the Highway Department, Superintendent of Parks and Rec, Chris Schroeder, Fire Chief, and they gave us some of their operational issues.

One is, where do you put the snow on this four and a half acre area? Now they are pushing a lot of the snow up against this travel way here, and they put it in the corners. This easterly side doesn't change too much. One of the concept plans was to make this a green area here and have a sidewalk come down and then connect over this way. This is the Newington Gun Shop on the corner. We looked at that, there was the sense that it might be tight in there, so to test it out, Fire Chief Schroeder had his men come over early April I think it was and they brought in the aerial truck and the aerial makes this fine just the way it is. So we recognized that by landscaping that and putting a sidewalk there would provide some pedestrian connection but not really, because the high rise is the only thing here, that it would not have been a good thing to do. So we are basically staying with what is on the easterly side right now. This island would be adjusted slightly, but they don't move as far as getting the radius in.

Going across the parking lot on the tour from east to west, this north side stays the same except for the sidewalk which connects over here behind the Bafundo property and on the south side, you have Newington Gun Exchange, Fazio's in here and Patz Driving School is down in here and the Credit Union down here, the concept in here is to make this into a smaller, like a parkette, so to create a sidewalk connection, the concept is to bring the sidewalk straight across this way, provide an island with a sidewalk in it, and where the sidewalk is now irregular from east to west, it jogs a little bit, is to make it a straight alignment and to pick that up, these red areas are brick pavers in that area where you could have a brick paver but you could do ornamental lawn plantings in urns or something in that area. This is basically private property anyway so that is an area where we don't want a lot of maintenance. This little white dot here, we started to find some strange things out there, is actually a utility vault into the ground, it goes down about eight feet, says high voltage, we had it looked at, there are no wires going into it, we don't know what the history of it is. Basically it collects litter and trash right now, so we want to close that and make that safe in there.

So the access in here, the turning movements are okay, so you continue across this way, and then you get to the corner of, where Market Square enters into the parking lot. This is all Market Square here, Constance Leigh, East Cedar Street, Main. We looked at sidewalks on both sides, this is 100 Market Square, this is Joe Cody's property, occupied by Steve's Place. Too tight for sidewalks on both sides. There is also an issue with drainage in this travel way here. This driveway right now is in very poor condition, part of that is because of the drainage. The

bituminous is breaking up. What is being recommended in this site plan is a sidewalk on the easterly side, up against the building. This is one area where we would need an easement from
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the property owner of 100 Market Square because that sidewalk would be on his property. If you know this area here, there are windows anywhere from a foot to two feet above the pavement, and the other issue is the gable roof with the slope. There are no rain gutters on this building, it's a constant icing problem. We have had some preliminary conversations with the owner about providing gutters on this building. We can't do that under our agreement. We aren't going to go on private property to put gutters on somebody's building, but as part of our drainage, we could pick up the leaders, the storm leaders on both 100 Market Square as well as 80 Market Square and instead of having them dump to daylight and freeze and thaw and freeze and thaw, tie them into our drainage system. So that is the concept here, so the sidewalk connection would be from Market Square, in this walkway, to this system here, or over this way to these stores or straight into the corner.

What these squares are, and this is again before we have done all our costing on this, this could be a brick pavement pattern such as we have done on Main Street for the streetscape program, or it could be a combination of brick pavement and stamped concrete, colorized stamped concrete to give it the sense, this is an area where you are supposed to come in and slow down, like a traffic calming device. That leads you to this so called center green which has a concept as a place for festivals, meeting events, any type of community group, non-profit civic group as well as town groups could have a community event on here. This is about 12,000 square feet, it's ringed by concrete sidewalk and granite islands, will have decorative lighting here, the exact determination as to whether this will be a building, what sort of street furniture would have on there hasn't been determined yet, but this would be a place where an open air shelter or something could be put in, either as part of this if the budget would permit, or later on. In anticipation of this being a meeting space, the design plans would have electrical conduit in place for lighting, would probably have some conduit for some sort of speaker system that would provide for now or later, even, would have the police look at this and they may even set up locations for closed circuit television monitors or camera's or something. Again, we would have to work with whatever is in the budget. So that is this area here, again, it's the same thing on the north side, across the street, the sidewalks continue along the back of Century 21, wrap around the corner and go, this is Roma Tailor, and go straight out to the driveway in from East Cedar Street. The only stretch of sidewalk in here right now is the private sidewalk in front of Roma Tailors. This would be a public sidewalk, it looks like it is on an angle, but everything is really squared up now in this engineering plan, and then another, where the landscaped medium is now, it slides down a little bit and what we are talking there is probably brick pavers which are easier to maintain than what we have there for grass right now, and that connects to the alleyway which goes out to Main Street, between Novey's and the Flowers, Etc., Chamber of Commerce, trying to make this attractive with pavement treating and lighting to come in off of Main Street. Probably all this wouldn't be brick pavers, but a section of it might be, the rest might be stamped concrete. There's a lot of utilities in this area, underground electrical vault, there's gas, there's all kind of utilities in there so it might be short sighted to put brick pavers in and have a problem a few years down the road and would have to take them all out, where stamped concrete you can touch that up.

The other part of the western side is the anticipation of acquiring the Bonelli piece. Council on April 14th passed a resolution directing the Town Manager and the Town Attorney to move forward and acquire this piece. That's critical to making this a one phase project. At the concept stage of this project and some of our workshops, we had talked about two stages. That looks fine on paper, I mean, if you talk about things, two phases on paper, but in reality when we go out to bid, and we have engineered this and get out cost estimates, we need to know whether Bonelli is in or out. If we go with two phases, it's not just the Bonelli piece that doesn't get done, it's the abutting pieces that tie into this, the parking arrangements, the travel ways, for drainage and utilities, so as of April 14th, when that direction was given by the Council, went back to BL and said, consider this in the project and give us a design for how that would be tied in. So that brings

us over to the westerly side, by bringing this piece in, being able to make the turning movement to the island we pick up 107 spaces in this area and are able to keep the area behind Hidden Vine, Newington TPZ Commission

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we get some more usable spaces in there, recommendation to move the dumpster from where it is now over to here, get it away from the back of these stores and still be accessible to these apartments and still be accessible to Cugino's, and everybody over here. This is now a public space maintained by the town, so that dumpster would be available to anybody who had key card access on this area. They couldn't put their own dumpsters in there. Once the town puts a dumpster in there, these are the two dumpster locations, one here and one there. The other interesting thing about this piece, it's already encumbered by an easement that goes back to when it was I guess Serafino's someone said this used to be called Serafino's, Midtown Associates owned it, and when it was conveyed to Mr. Cugino, it was conveyed with a parking easement restriction on the land now. So from that point of view, there's really nothing lost, we still have the parking, but now the gain is the town maintains it, plows it, pays for the lighting, so I think there is a benefit there. Also, which is shown on this plan is the very initial grading of this site. Right now as you know, if you stand in back of Hidden Vine and look up, there is about a three and a half, four foot difference in grade at this corner going all the way back to that big stand of trees. There is a cross slope grade and this is blended back into the parking lot, the drainage sheet flows into these catch basin systems, and I'll go back to that in a minute, then there is a sidewalk coming in from Main Street connecting here. This property here, to answer Tom's question, this is private property. Cody's piece, I think that is French's, and this little piece here is owned by the town, but this is where the landscape architect took some liberties in putting trees and islands. We're not going to do this, this is outside the project boundaries. This area in here would be desirable to do in this sort of pattern. I mean this side here goes back to 1982 to tie these lots in which was picked up by the McGuire Group when they did their plan, one way parking through Steve's and into the parking lot, and connections with Webster Bank and the travel agency, but this is private property, so these people need, if they want to be part of this and have good circulation and access, they need to get together to do some cross easements and sharing of driveways. It's somewhat of a maze in here right now, so if this goes forward and it goes out to bid, these trees and this curbing is not in the bid package. I had a discussion with Mr. Cody the other day, he likes this arrangement, but the question is, who is going to pay for it. Well, it's not in the project area, it's not part of the urban action grant, we're not going to pay for it. The way that I would recommend that this be done is again, to Tom's point, it's a good one, is not to close up, but just go straight through. To have a driveway coming out here when you have cars coming out, this is a poor sight line. The other thing as you may recall, a few years ago they got approval for outside seating and I don't know if they are ever going to build it, but if they do build it, that's the last thing you want is cars going by there, so the engineer who drew this didn't know about that, so we would work it out later on.

Back to this drainage and again, this center green. The water is being picked up by a galley system and this present galley system that is there now are not sufficient to handle the capacity of rain that goes in here, it floods in the center travel way because of the capacity problems and also very shallow catch basins that haven't been maintained. I mean, I'll put it right on the table. They are full of junk, and if you don't clean out your catch basins it doesn't take but an inch and a half or two inches in a couple of hours and they start to back up. All the galley systems though here are very shallow, so underneath this green area is a large storm water retention system which is going to be designed to handle a twenty-five year storm. It will have a phase three EPA requirements for water quality structures, it will have zero runoff so the water will be held underground and metered out through the system that eventually goes all the way out to Constance Leigh and into the storm system on the east side of Constance Leigh and then goes north. That's the only way out of this parking lot. This is the high end, this is the low end, where the middle is, we are proposing to retain it. That is pretty much the plan in a nutshell in Planimetric view. The other steps would be to add the more refined grading, drainage, utilities, both lighting, electrical conduit and so forth, and landscape plan with the various embellishments with coordinated lighting, the same style we have on Main Street, bringing some of these lights in

here, same type of benches, street furniture, and trash receptacles so we have a continuity of design would be something that we would want to replicate in here.
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This is a four hundred car parking lot. Not too far off from what was before the Planning and Zoning Commission I guess back in 1982 when the town planning consultant, Bob Donald designed this lot. This green space, I was asked last night, if you took that green space out, you might pick up thirty, thirty-five spaces. It could be done, but that wasn't the concept that was presented through the process so far, four hundred spaces is a significant number of public parking spaces. That supports, based on your zoning standards of three and a half, to four spaces per thousand, that would support almost 115,000 square feet of floor space, mixed use floor space, commercial and so forth, around this area. Right now there is about 78,000 square feet out there, so there is room to grow, either by tearing some buildings down and in-fill, or building on vacant lots. Mrs. Eddy has a vacant lot here, Roma Tailor's has these two buildings which we would love to see come down and be rebuilt, so those could be some in-fill projects. That pretty much is the project in a nutshell. My staff report mentions this idea surprisingly or not has been around since 1950. The original, very first plan done for the Town of Newington in 1956 which was pretty good, I mean that we had a plan that went back that far, shows the municipal parking lot and that was based on the original two donations from the Goodale and Hanbury family. Then we had a plan in '73, Community Development Action Plan, the concept again was there, in '78 the Development Commission hired a planning consulting, Raymond, Parish & Pine and they did a market study as well as a plan for this, with concept drawings to clean up the back of these buildings, the rear entrances and enclosures. I mentioned Bob Donald in '82 did a master plan for the whole parking lot, and in '84, '85 this easterly side was done. Then in '93 or '94, we were able to put some pieces together with Roma Tailor's, the Gauterri family, Rosenblatt, which is the bike shop, Patz and Martin. That was the big push in the '90's. This whole corner of this lot came together. Fazio Shoe store was torn down, and a driveway was brought in. Then as part of our first streetscape grant in 2003 I believe it was, we bought the barn, or whatever, I think it was a barn back there, tore that down, remediated the site, and cleaned up that part. We only got 3,000 square feet of land for all our effort to get the building down, but it helped us to square this away back in there. So right now we are sitting on almost 4.5, almost 4.6 acres but now it brings it up to almost five and that's our project.

Chairman Hall: Questions?

Commissioner Pruet: Ed, do you know when BL will have the approximate projected cost for this development, and will they wait until the Bonelli property is secured, or will they come up with a proposal, an estimate?

Ed Meehan: BL has been charged to have their draft, site plan package, bid package and preliminary cost estimate ready by July 3rd for presentation the following week to the Economic Development Commission, Downtown Revitalization Committee on July 7th. They are not going to get into the cost of Bonelli, but they will have in that preliminary estimate what it would cost to improve this area as far as the 107 spaces. We will know by the end of June, early July if this rendering and these details, if we have it in our budget. We have about \$600,000, \$650,000 for hard cost, construction cost out of the million dollar grant. The handling of the acquisition of the Bonelli is something the Town Attorney is working on, where that ends up in the next four weeks, three weeks, is something we have to be watchful of. I think, and I mentioned it last night, I've been mentioning it along the way, is we need to know where we are with this property before we do our final bid documents and spec's. The concept would be that we would have our cost in early July, then be presented to the Development Commission and Downtown Revitalization Committee who would report and make a recommendation to the Town Council at their July 14th meeting, the Council's July 14th meeting. At that meeting, if the Council felt comfortable with this with the information coming to them as well as their own review and discussion of this, they could direct the Town Manager to set the bid date. Because of the lead time for that, we would be

looking for an August, early August bid date announcement in the newspaper. Between July 14th and that August bid date we have to send these draft documents up to DECD and they need to
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review them and make sure that we're following their requirements for the grant and we have to have prevailing wages, all the insurance requirements and so forth have to be in that preliminary bid package. If they say it's a go, DECD says go, it comes back to the Town, we advertise it, and for a project this size, we have to give contractors anywhere from three to three and a half weeks to get their cost estimate together and return their bids, and that brings it to the end of August, early September. That information after the BL goes through it and recommends the lowest qualifying bidder will go back to the Town Council again. The Town Council then decides if they have the money to do it, and if they do, they go out and they select their contractor and authorize the Town Manager to sign a contract. But before the Town Manager signs a contract it has to go back to DECD again, one more time. They are the partners in this and they hold the purse strings, so before the contract can be signed, it goes back to DECD, they look at it one more time again, they want to make sure we are following equal opportunity and wages and so forth, they approve it, the manager signs it, and he can give the contractor a couple to three weeks to mobilize and get all his insurances in place, so that is mid to late September to early October. So, with that sort of work flow, the Council looks at it about three more times and as many public informational meetings that people feel are needed could be held on this. I think that would be appropriate. I know next week that the Development Commission meets for their regular meeting, they have been sent this as a courtesy review. They don't have a statutory requirement that they have to get this, but it has been sent to them, it's on their agenda next week. Downtown Revitalization Committee has been sitting with them on this, so they have been invited to that meeting.

Chairman Hall: Other questions?

Commissioner Schatz: In the area of the meeting area, you said that's what, 4,000 square feet?

Ed Meehan: The lawn is about 5,000 but the actual footprint of that is about 12,000.

Commissioner Schatz: Oh, okay.

Ed Meehan: That includes these noses here, this is not all lawn, there are sidewalks and there's.....

Commissioner Schatz: I thought if it was four, it would be a little tight.

Ed Meehan: It's a quarter acre building lot. So if you go over there and stand in back of Steve's and look over toward Century 21, it's the lowest part of the parking lot right now. It's where, it's over the existing galleys.

Commissioner Schatz: And the snow is not a problem there?

Ed Meehan: Well, snow can be piled up on the corners. Here again I don't think we are going to end up with all these trees. I mean, these are things we have to work on, make sure we can put that many trees in here. Highway, when they looked at this, they were thinking they would have to find corners to put the snow in, they could tuck the snow in the islands here and in the corners, it gives them a good place to push the snow. They like to have one straight run with the plows. When you do that you lose parking spaces for a couple of weeks.

Commissioner Schatz: Does this plan call for irrigation too?

Ed Meehan: Yes, we are talking about an irrigation system. To have that much lawn and spend this much money and not have an irrigation system, but it means that we have to get into the

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MDC system and we have to meet all their requirements for check valves and backflow protection, so there is a good month of engineering that is going on right now.

Commissioner Ganley: What is required of us this evening to approve this thing conceptually or how do we.....

Ed Meehan: Well, we're onto concepts, we were in concepts in January and December. This is a preliminary site plan. The 8-24 referral that I mentioned first, under statutes it's the acquisition of property which is the Bonelli piece; it's the proposed taking of, or negotiating a sidewalk easement in from Market Square, that's the one that is identified right now. There may be a couple of other sidewalk areas that we may want to talk to the abutter about for maintenance. I'll give you an example. When this plan was built in the mid '80's, these sidewalks in this area here, there's a gap, and then over here, the town actually maintains these sidewalks, even though they are on private property. We have an easement to go on those sidewalks and to remove snow and that was I believe done because the town expanded the width of the sidewalks when they built this easterly edge, so the thought was, we are not just going to remove snow from half a sidewalk. Let's get an easement to go on the whole ten feet. We'll clean it up all at once. We may want to be thinking about that, and the sidewalks over, well, the new sidewalks in here and in the back of Gauterri's. This may be an area that we hold in abeyance. This whole run of sidewalk, I'm not sure it would be prudent to put sidewalks in here and then a couple of years later this lot gets developed and you have construction equipment driving back and forth over the sidewalks. As we get further into this, and through the efforts of our consulting engineer, and we see the cost, we can do bid alternates on a project like this. Bid alternate on the sidewalk, bid alternate on the granite curbing.....

Commissioner Ganley: My question specifically was, when it goes out of here this evening, what does the motion say, as it leaves here, that we recommend this to the Council, what are we supposed to say this evening that triggers a Council response?

Ed Meehan: Well as my draft motion and staff report suggested, you will find it is consistent with your efforts over the last twenty-five, thirty years, promoting a municipal parking lot. I think that is the first place you start. That it's consistent with your design requirements for parking, that it's consistent with your requirements for zero run-off and drainage. It's consistent with your design standards for nine by eighteen parking stalls and twenty-four foot travel ways, that it meets your design standard. In other words, if this was a private developer coming before you for a parking lot down at Target or Sam's, they would have to do the same thing that you are showing here. We're doing the same thing that they would do. There's no compromising on the size of the parking spaces, the travel ways, the drainage, they may have gone a little bit overboard on landscaping at this point.

Chairman Hall: Well, that was going to be my point because first of all, that is going to be extremely expensive, they have two trees per island everywhere you look except a few here and there. Practically speaking that many trees, with leaves, if they are deciduous will be a nightmare as far as the fall, maybe even blocking views here and there. There may have to be some modification of that, seems like an awful lot of foliage.

Ed Meehan: Yeah, that was the reaction of the Parks and Rec grounds people too, is, they could leave areas of mature trees in here, and a couple in this area would come down, they are called honey locust. They are big, they have never been pruned, so they are kind of wild looking, so they would come in with a more urban type tree that is going to be tolerant of the area, probably

more appropriate for one tree per island and rather than having wood chips and mulch at the base of these trees, maybe you do a tree well, with brick pavers or you do a stone, a decorative stone. It's easier to maintain as long as you have a weed barrier down. With all these areas,
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particularly right now coming in the center areas, you get two or three weeks where you don't maintain them, they don't look that good. As this plan gets to the landscape phase, this definitely has to be fine tuned, and that's going to be a budgetary consideration too.

Chairman Hall: Now what is our liability, I mean, there is a portion of this property that we don't own yet, so we send it with the assumption that they are going to be able to get that property, or what is our position on that, because that is a big piece and they want to do it all at once, they don't want to do it in phases, they don't want to wait for that to be acquired.

Ed Meehan: Well I think the answer to that question is the Council needs to get the Commission's opinion as to whether that piece should be acquired or not to complete the municipal parking lot. How it's done, under what guidelines, legally, what cost, that's the Council's bailiwick through the Town Attorney, but I think the answer to your question should that piece be in or out, is this the right time to go after that piece to finish the parking lot?

Chairman Hall: Well if they don't do it now, when are they, it's part of the whole plan. I think without that you don't really have much of a project, you've got another half baked.....

Ed Meehan: You've got another three quarters of the pie.

Chairman Hall: Right, and I think that that as part of your first reasoning, the 8-24 requires the municipalities legislative body, the Council to submit proposals to acquire land, so that is what we are going for and, to make substantial improvement to public property, which this at the end point would be.

Ed Meehan: Yes. That's the reason that the Council has this before you, they are collecting this information. If for some reason this body said this project doesn't comply with your Plan of Development, doesn't comply with any special studies that you have done, there's no planning reason for this, you sent back a negative report, the Council would have to get two thirds vote to over ride your negative report. The other thing I should tell you, you have thirty days on this referral. That's statute. It's on your agenda tonight, I was asked to do a work flow of moving this project along, but statutorily, you have up to thirty days.

Chairman Hall: If we vote on this in the first meeting in June, which I believe is the 10th, do we meet the 10th?

Ed Meehan: Yes.

Chairman Hall: That still gives them enough time to get everything ready. You had a date of July and then something in August. That would not.....

Ed Meehan: Well the Council meets on the 9th, so they wouldn't get your report.

Chairman Hall: Then they would have to do it on the 23rd.

Ed Meehan: The 23rd, so there is a gap of two weeks in there. It affects your report going back to the Council, it could also affect what the Town Attorney is trying to do with the property owner. I don't know what his timing is, or where he is with that, but when I did the work flow, worked with Chairman Harpie from EDC on that in the Town Manager's office, we looked at the dates in sequence knowing that the property owner, I can only share this with you, the property owner has

gotten at least three requests in writing from the Town Attorney, very earnest letters asking to talk about his property, so where Mr. Ancona is with that, I don't know.

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Commissioner Casasanta: Unless other Commissioners need more time to think about it and study this further I really see no reason not to act on it tonight.

Chairman Hall: And that's the feeling I want to get around the table as to how comfortable you feel with the proposal. As I said, many of us have been following this for a period of time, and Ed gave us a very good overview, we certainly have paper work.

Commissioner Schatz: I just have one question. That building in the alley, where you are going to put the sidewalk up against, is on private property.

Ed Meehan: The easterly side, the six foot sidewalk would need an easement from that property owner.

Commissioner Schatz: An easement, and yet, he's going to need gutters there, so if I'm owning the property, why would I want to give you an easement if I have to go to the expense of putting gutters up?

Ed Meehan: Well, in my conversation with him, he recognizes that he needs gutters and I guess the quid pro quo that we were trying to negotiate with him, if you are going to put up gutters then we will take your rain water into our storm drainage system. That's about as far as we go on this grant. Right now it may be a problem from his respect because that water is getting into those windows down below. It splashes up.

Commissioner Pruet: Just a general clarification, this referral is just a general overview that we have approved that the onset to start the project.

Chairman Hall: Yes, we don't see any violations of our requirements, in other words as he said, the size of the parking spaces or any of the things that flash out at us. Any other questions, comments?

Commissioner Kornichuk: Well normally we ask for the Fire Marshal and everything, but they have all been there already, the cart is already there, we're just waiting for the horse to catch up.

Chairman Hall: Right, and that's the other thing with some of those trees, I would think when he went in April the tree leaves were not out, so.....

Ed Meehan: The interesting thing by bringing the apparatus in, is a couple of things, first, you're right, the trees haven't leafed out, but what these plans don't show, like there is an overhang on the building at the Gun Exchange, so you bring in a sixty foot piece of apparatus, you have to watch that overhang. The other thing is, even though there are hydrants in that location, you want to have proximity to hydrants. The trees up against the high rise are now very mature, they are now thirty-five, forty feet high. So like the Chief said to me, they would be kind of careful as to where they would swing their aerial, they want to be in, there's an indentation in that building where I guess there is an elevator and stairwell, that's where they want to be. So the guy that was driving the truck that night, he had to jockey it around. I don't know what they would do at three o'clock in the morning, under circumstances like that, but they got it in there, and they were able to back it out without any problems.

Chairman Hall: Okay, any other questions, comments, clarifications? Everybody feels pretty comfortable with this? All right.

B. 2020 Plan of Conservation and Development Preliminary Draft Review – Glenn Chalder, Planimetrics.

Chairman Hall: This is another big project that really takes more time than we have this evening to go through. We got this over the holiday weekend, and congratulations if you were able to go through it page by page, but it is something that I really want everybody to go page to page on, so therefore tonight, we'll get an overview as to what it is, but we have two choices, at least I think we do, we can either have a special meeting to have Mr. Chalder come back and go through this with us, or reserve one of our June meetings specifically for this, try to make it a light evening and devote the time to this plan because it is an important plan, it will stand for the next, many years, and we really need to get it right. So Ed will give us a little bit of background on it tonight, but then think about this because we should either have a special meeting devoted just to this, or one of our June meetings geared just for this. It can't be the 10th, because Mr. Chalder is out of state, so it would have to be the second meeting in June. So Ed can you give us a little bit of background?

Ed Meehan: I'll be very brief. This looks like, you know, it's a shiny document, lot of pictures, our contract with Planimetrics was to produce this for you in fifteen copies, we got fifteen copies of this as a draft. Again, pursuant to statutes, we need to set this down for public hearing some time in the fall. We have to give it a sixty-five day lead time, so to initiate that sixty-five day referral and review, we need to cut off a date in mid-July where we make our required referrals to the Town Council, to the Capital Regional Council of Governments, to OPM on this, as well as making it available to the public to start really taking the time to look at this. So the format of this is based on what the Commission discussed back in March, shortly after the contract was negotiated. It's based on pretty much the layout of the prior plan, 95-2005 Plan. We did reorganize it, I have a chart here based on what direction you gave and that was, well anyway, the chart was introduction, background on social economic demographics, economy, some municipal fiscal indicators, then what we want to protect and conserve is the first component. That's your open space component, your active recreation, your proposed greenways and corridors and trails and that is what we want to protect, and community enhancements and you will see in here pictures of historic properties, pictures of the town green, the Congregational Church burial grounds, some community features that we wanted to bring to the surface and demonstrate those in the plan, those we want to protect.

Then the next section is what we want to develop. That encompasses residential development, commercial and industrial and those areas, what we want to develop in that component we are focusing on the town center, the growth of the town center, perhaps easterly to expand down town towards Constance Leigh and the former Children's Hospital property, the concept of transit orientated development at Cedar and Fenn and Newington Junction and the opportunities there, long range, for some mixed use, higher density development around those transportation nodes. Then the long range plan for the New Haven-Hartford-Springfield line, again at Newington Junction, the old Cashway site. The theme in the development section is, we're out of land, but we have opportunities to recycle our properties, to do a little bit more intensification of some of our properties that are marginal and to improve properties that should be redeveloped, both in the town center and in our industrial and commercial areas. The last section is community infrastructure and community properties. There we are talking about municipal buildings such as the town garage, the park and rec garage, Main Street vegetation waste dump, opportunities for improving cell towers, communication system in Newington. We have been pretty successful in getting a couple of locations where the town is making some income from public properties by leasing spaces, but also getting good public safety service by getting positions on these cell towers for police and fire and ambulance. That's one component. The idea of a government service center is in here where we would have the Town Hall, Police, Senior Disabled Center, Mill Park and the Library and taking a long range look at parking in this area for Mill Street and try to create more of a campus area where we have safer pedestrian connections between the library

and town hall, but better parking. I mean, just tonight, there is a small event going on, we're tight for parking; working with the library board and the Friends of the Library with the property they acquired recently across the street, maybe getting the overhead wires underground on Mill Street, some traffic improvements in that area. So those are some of the examples of the community infrastructure.

As far as the transportation system within that community infrastructure, there is not a lot that we proposed to do with road systems. The road pattern based on the hierarchy of roads from the arterials to your collectors to your local residential streets is pretty well set in Newington. There really is no area for major road changes. There are concepts for better east/west connection that go to the Fuss and O'Neil study and the busway study with Cedar and Fenn and the concept of extending Alumni Drive westerly to go towards Holly Drive and Route 9 is a concept, I think again, tends to be okay on paper, but pragmatically I don't think it ever has a chance of being built. I mean, you are going through wetlands and over railroad tracks and under high tension wires, I mean, it looks good on paper, but in reality I don't think it's probably going to happen, but there are things that could be done at the intersection of Alumni, Cedar and Maple Hill again. You will see that back in the plan, that goes back ten years, how to improve that intersection from a safety and capacity point of view. Again, the infrastructure of the short range improvements at Ella Grasso and Cedar and Fenn and some other short range improvements for closing sidewalk gaps around park areas and schools. We have places where we need sidewalks and that is mentioned in the plan. It was good to bring someone in from the outside, I have to say this, because you kind of look at this and we say we don't see some connections here, but by working with our open space and some of our greenways, we began to develop a possible trail system and bike paths. Rudimentary outline of getting from Twenty Rod Road up to Churchill Park and over through the former I-291 land to the all purpose trail that is supposed to be next to the busway. It gets you from one side of Newington, the southeast corner of Newington to the northwest corner of Newington if you can link those trail systems together. Another thing in the plan that you will see it touches on the open space, what we want to protect but also touches on what we want to develop as again the issue of the hillside ridgeline protection. Some of this is shown on maps and these maps need to be tightened up and fine tuned and that is where we need the input from Commission members. What do you want to see? Just because they are all colored graphic maps, they look like they are done, they are not close to being done, so we can change them. The maps compliment the narrative and that is pretty much where we are.

Chairman Hall: So it is important that we read this cover to cover. It's very, very important as I said. It's today but it is for the future, so we need to do this. Getting back to your preference we are meeting on the 10th and the 24th, I believe. If we had a special meeting it would be Wednesday the 17th. Wednesday is our usual night.

Ed Meehan: Or earlier. I think Glenn could do it June 4th, that's next week, that's a little tight.

Chairman Hall: That's another Wednesday.

Commissioner Camerota: That would be Thursday.

Chairman Hall: Then it would be the 3rd. He's available the 4th?

Ed Meehan: He's available the 4th, the 3rd is Economic Development. If you want more time to read this and mark it up, maybe you keep your agenda light and do it on the 24th. My only suggestion is, don't get too close to July because we do want to be able to say that we have gotten your comments. You can mark up another draft and that would be the draft we initiate for public hearing process.

Chairman Hall: I would rather do it sooner than the 24th, but does anyone have a conflict on the 17th?

Commissioner Camerota: Yes.

Chairman Hall: You do have a conflict on the 17th, and you do too.
Well, if we do it on the 24th, we just have to be sure that.....

Commissioner Casasanta: Does it have to be a Wednesday?

Chairman Hall: Well, it's just that that's the night that people set aside, and maybe people have other nights, how about a Tuesday, is a Tuesday better? Anybody have a standing obligation on a Tuesday?

Commissioner Camerota: I wouldn't be able to do anything that week.

Chairman Hall: Okay, so that week is out, that whole week is out.

Ed Meehan: What I would suggest is, if you want to do it on the 24th is if you have comments between now and then, send them in, just mark up a page and send it in so that we can collect things in advance and be better prepared on the 24th.

Chairman Hall: Good. My only fear with having it that far out is that human nature being what it is, this will go into the envelope and will stay there until the 23rd, so if we do it sooner, we have more chance.

Ed Meehan: If you do it the 24th, then you have to be ready to tell us on the first meeting in July that you are ready to set this down for hearing.

Chairman Hall: That is definitely too late, I really don't want to wait until July to do it. All right, well, I guess we do it on the 24th then because I want to have as many people here. Is anybody taking a vacation in June, the 24th, that would be the second meeting. All right, then I guess we move it off until the 24th, but please read it.

Ed Meehan: So, I can make black and white versions of this, I'm going to talk about putting this up on the web, you want me to do that, is it too early, do you want to wait until you set it down for your sixty-five day public hearing? I've already gotten comments, requests for this.

Chairman Hall: Well if we put it on the web, maybe if somebody is sitting around during the day and they want to access their computer, they can bring it up too, instead of trying to find out where the book is. How many of you use the web, would that be a help if we put it on the web? Would it help you to, it doesn't matter, it's a wash, so if you feel like doing it.

Ed Meehan: It's a big file to put up but we could do a link to it.

Chairman Hall: Take up a lot of space, that's for sure, and with pictures.

Ed Meehan: We are legally, once we put this out for public hearing, we do have to put this on the web. That is one of the requirements. I think maybe, it's your plan, you may want to have a week or two with it first.

Chairman Hall: And you know what, I want to have it on the agenda under Communications and Reports next time too, just in case people have gotten to that point on the 10th, where they have

questions or input. We won't spend the whole night doing it, but I would like to touch base on that night as well.

Ed Meehan: Okay.

Chairman Hall: Any other questions on that before we leave it?

VI. NEW BUSINESS

A. PETITION 10-09 – 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106, request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District. Inland Wetlands Commission report required.

Chairman Hall: If the petitioner is here would you come forward, state your name and address for the record.

Carlos Susaya: My name is Carlos Susaya. I would like to build a garage on the property, 1600 square feet.

Ed Meehan: Is your engineer here? Is Ozzie here?

Carlos Susaya: No, Ozzie is not here.

Ed Meehan: I have some staff comments and I have an aerial photo if Commission members haven't had a chance to go up and locate this site. This site is now occupied by outside storage for various pieces of equipment and production material. This is North Mountain Road, loops around, comes back to Hartford Avenue, it's a small narrow lot between two existing buildings. For many years it was used as a parking lot for one of the adjacent pieces of property. It always stood as a legal conforming lot, it met the industrial standards for lot size and frontage. You can see from this aerial if you come close, there is a lot of equipment on this piece, a lot of outside storage. It abuts the wetlands in the back and it is, no utilities on site, so we have had conversations with the applicant about outside storage and the presentation of the site. He has made application to the Conservation Commission because it is within the 100 foot buffer. He got his approval last meeting from Inland Wetlands. He is here for a site plan approval for a forty by forty foot building.

The reason that I asked about your engineer, there are a couple of things that need to be done on this plan to make it conform to the Industrial Zone standards. There is a ten foot side yard set back which your engineer needs to recognize on the easterly side. He had in his chart, his zoning table is five feet, I'm not sure where he got that, but the zoning regulations are ten, so the building needs to be slid over five to six feet to comply with the standards. There is also a requirement that you have at least five feet off of the property line for snow shelf and landscaping so a small adjustment needs to be made in the existing curbing out front. Those are a couple of the smaller changes. Your plan says a masonry building, the building elevations look like it's clapboard. Is it a wood structure?

Carlos Susaya: I think it is going to be wood.

Ed Meehan: It's going to be wood, or vinyl? Right now it looks like, what I'm trying to get clarified is that this looks like clapboard or wood siding.....

Carlos Susaya: Siding, yes.

Ed Meehan: But the site plan says masonry building.

Carlos Susaya: No, there are two choices when they made the plan, wood or the brick.

Ed Meehan: Well, what is your choice? You have to let us know what you are going to do.

Carlos Susaya: The wood then.

Ed Meehan: The other thing that needs to be clarified is the orientation of this building as far as what elevation faces the street. The regulations don't permit loading docks or overhead doors facing the street so what I was trying to figure out is, is the gable facing North Mountain Road?

Carlos Susaya: No.

Ed Meehan: The gable does not face North Mountain Road?

Carlos Susaya: No, not facing.

Ed Meehan: So, this is the front?

Carlos Susaya: That is the front.

Ed Meehan: If this is the side, I don't know if you have enough room to get your vehicles in.

Carlos Susaya: I know, that's why my question was can I make a door in the back?

Ed Meehan: Well, if this is going to be your overhead doors in the back, then this probably needs to be this elevation here. If this is the front, if the gable doesn't face the street, if the ridge is parallel to the street, then this would be where your overhead doors are and this would be the front and these two would be just your side. You wouldn't have your doors on the side on the south side, because you haven't got enough room to swing a truck. So we need to get that cleared up.

Carlos Susaya: Okay.

Chairman Hall: Let's go back, because if he flips that building, how is it going to fit on the lot?

Ed Meehan: It's a forty by forty building.

Chairman Hall: Oh it is.

Ed Meehan: So it doesn't make any difference which way you do it, as long as but if you had your overhead doors on this side, the west side, you came in, you wouldn't be able to make the turn in, particularly now that you have to move the building over five or six feet, so that is a design consideration.

Carlos Susaya: Okay.

Ed Meehan: So I talked about the side yard, the masonry versus wood, the overhead door orientation, the five foot offset, roof leaders, storm drainage is picked up, goes out to North Mountain Road, utilities come in underground, tie into the front, there is a sidewalk, a landscape island. The chain link fence is going to be removed?

Carlos Susaya: Yes.

Ed Meehan: So, from the street side, what you see in the aerial photo which is a few years old, is going to be pushed back in behind the site and will be cleaned up as this is presented to the street. The Conservation Commission I think also had some issues with your material piles back there, so you will have to address their requirements for the storage of materials close to the wetlands. It will have water, sewer and utilities.

Chairman Hall: I have a question. It looks like a two story building. Is it a two story building?

Carlos Susaya: Yes.

Chairman Hall: What's on the second floor?

Carlos Susaya: Just storage. For tools. The bottom is going to be a garage.

Chairman Hall: Right, I understand the garage part of it, but what would be upstairs? You are going to have a staircase that goes up?

Carlos Susaya: A staircase that goes up.

Commissioner Casasanta: On the diagram it says it's one story.

Chairman Hall: But the picture looks like a two.

Commissioner Casasanta: So it is a two story building?

Chairman Hall: That's what it looks like.

Ed Meehan: So it's a two story building?

Carlos Susaya: Yes.

Ed Meehan: Wood, not masonry?

Carlos Susaya: No.

Ed Meehan: So when you talk to your engineer, these things need to be put on the plan so the Commission has the correct information as far as one story versus two story, masonry versus wood, the side yard adjustment. I can meet with you and your engineer to go over these things, so that when it comes time for the Commission to act on this they have the correct information for their site plan action.

Carlos Susaya: Okay.

Chairman Hall: Any other questions?

Commissioner Ganley: We are going to leave this open, right?

Chairman Hall: Yes, we're definitely going to leave this open. Any other questions. Okay, thank you.

B. PETITION 15-09 – 123 Costello Road, Costello Industries, Inc., applicant and owner, Attention John Costello, 123 Costello Road, Newington, CT 06111, request for site plan modification and buffer waiver Section 6.10.5 (c) for reduction of 100' building setback from residential zone boundary, Section 3.18.4, PD Zone District.

Alan Bongiovanni: Good evening Madam Chairman, Members of the Commission, Staff, for the record, my name is Alan Bongiovanni, 170 Pane Road in Newington representing John Costello, Costello Industries in an application for a site plan modification for their business at 123 Costello Road. I'm sure that many of you are aware that Costello Industrial Park once was their area of operation. In the '80's they had subdivided their property and reserved this land for their on-going business. The subject property as was read into the record is in a PD Zone, it's a three acre parcel with an existing driveway through the northwest part of the site accessing the property, the parking area, the existing building, and what we are proposing is a 3750 square foot addition to the south side of the existing building. The purpose of the addition is to create a larger maintenance area for the equipment. Costello Industries is a leader in asphalt and pavement management. They do a lot of recycling. If you are familiar with any of the work that is done on highways, you see these massive pieces of equipment that grind the roads and conveyer it into trucks for removal. They have several pieces of that equipment and it's periodically parked here when it is not out on a job site and through the winter months they maintain that equipment. What they currently do is they park pieces of equipment where the building footprint is. Because the equipment is so large when they have to work on it inside, they have to take sections of the equipment off, apart outside and then bring it in to the existing loading bay. They would like to be able to service two pieces of equipment at a time, do it inside and not have to dismantle it. Hence, we have an addition fifty by seventy-five foot proposed here. We believe this is well within the right of the regulation, the only issue is, in the PD regulations there is a one hundred foot buffer from the residential zone which is Section 6.10.5 (c). We are requesting to reduce that buffer to fifty feet. This operation and facility has been at this location prior to the neighboring properties being developed and being used as a residential use. This property as I said, has been here prior to any of, other than the Berlin Turnpike properties, any of those properties ever being used.

The area that we are asking to put the building in actually is used for Industrial use. That is where they actually do their outside storage and maintenance of vehicles. This would provide for a better situation from the condominiums to the south in that all of the work would be done inside, out of sight, protected from the noise and such and it would still maintain the twenty-five foot parking buffer. There had been an agreement between Costello Industries and the Countryside Condominium Association several years back about installing a fence and a vegetative buffer. That is shown on the plan, it is in place and since that buffer was installed, there have been no complaints, to our knowledge from the Association for abuse on this property. I think in a nutshell that's it, it's a simple application. We're not asking to increase parking or paving, just to expand the footprint of the building so that the work that they do outside can be done inside in the winter months.

Chairman Hall: Ed?

Ed Meehan: Just two comments, and perhaps to clarify it as it hasn't been pointed out yet, is that the west elevation is the side that faces the condos so that there are no overhead doors facing the residential units now, and the north elevation faces the existing yard. I think from that perspective, the residents may benefit a little bit because they are not going to have this outside equipment when it is being repaired. It's the same time of year that the vegetation is least available to muffle noises during the winter, so this equipment going inside is a benefit I believe to the adjacent property owners.

The only thing that you can clarify Alan, any of the natural grading, or buffering on that site, is that going to be graded at all?

Alan Bongiovanni: No, there's a berm in this area. You'll see the contouring that is there, the existing trees, this heavy line is an existing eight foot stockade fence, and that it slopes down to the parking area. This work is going to take place in what is now park and gravel work area. It actually has been paved for several years in the maintenance of their equipment, they actually took the liberty of grinding that up to re-grade it, in the hopes of being able to construct this addition, so we're not asking for anything that hasn't already been done in the same location. The buffer, grading and protection that the neighbors enjoy will be maintained.

Commissioner Aieta: Is there a grade change between this property and the Countryside Condominiums? Isn't there a slope there?

Alan Bongiovanni: There is a slope. The elevation of the proposed addition is going to be at 131.9 or 132, the parking slopes down to about 126, this berm comes up to 130 and then slopes down to 126 so yes there is a change in elevation. I believe that the west end of our parking lot approximates the elevation of the condominiums but we have the graded berm that helps facilitate the buffer between the two properties so the water can't flow between one and the other.

Chairman Hall: How much taller is this addition than the existing structure.

Alan Bongiovanni: The existing building is twenty-two feet in this location, it's proposed to be twenty-five, so you have, to the peak it may be four to five, no three to four feet taller than the existing building.

Chairman Hall: And what is that roof going to be, because they are going to be able to see that roof.

Alan Bongiovanni: It's going to be a very flat pitch, it's a pre-engineered steel building, it will probably be a half inch per foot pitch, a standard seam roof, or corrugated metal roof so that they're going to see, if they look over, climb up and look over the fence, that's an eight foot fence....

Chairman Hall: No, they'll see it from their bedroom window.

Alan Bongiovanni: Well, they are going to see the siding on the building, but they won't see a standing roof because it's going to be very flat.

Chairman Hall: Any other questions?

Commissioner Schatz: People in the residential area, they were all notified?

Chairman Hall: No, because it's not a public hearing.

Ed Meehan: It's site plan.

Commissioner Schatz: You can do that?

Ed Meehan: Yes, if it was a special exception or a zone change, then we would have to notify.

Commissioner Schatz: Okay.

Chairman Hall: Where is the cell tower in relation to this?

Alan Bongiovanni: The cell tower is in this location, over here to the northeast corner of the building. Just to clarify for the record, this is a modification to an existing site plan, we're asking, and it's in your regulations that you are allowed to waive a buffer requirement. We are not asking for a variance which we would go to ZBA for. This is a facility that has existed prior to those condominiums. This work, this area of work, really is grandfathered. It's been used, that part of the site has been used for this industrial use long before that regulation ever came into affect.

Ed Meehan: We have a 2003 aerial photo which was right after the site plan was modified when the fence and the berm was put in, you can see the piles of earth being prepared for the berm. It looks like a substantial piece of equipment stuck on the south side of this building now. Then there is probably twenty-five or thirty feet of trees and vegetation that goes down.

Chairman Hall: Yeah, it's a bit of a hump.

Alan Bongiovanni: Currently, and I'll explain this, there are doors on the south side of the existing building so the vehicles, they take them apart and they work them in here, what they are going to do, the new doors would come in from the west, and then a new door would be cut in here with a retaining wall so they can access the existing bays as well as the new.

Chairman Hall: Are those gas pumps?

Alan Bongiovanni: No. These are doors, man doors, personnel doors.

Chairman Hall: Any other questions?

Ed Meehan: It does require a two thirds vote, you can reduce it as called for on here, you can reduce it by half pursuant to your regulations by a two thirds vote, or you could increase it by half by a two thirds vote, but you can't go below a half, so fifty is the appropriate number.

Commissioner Schatz: This doesn't open, if it's approved, it doesn't open so anybody can come in for this, right?

Ed Meehan: It would be a case by case basis. That's why it's a two-thirds vote.

Chairman Hall: Any other questions?

Commissioner Lenares: Just so I'm clear, and everybody else is clear, the equipment is there currently, it's going to be encased on the building, better for the owner. The stuff that is going on now would just be in the building and there would be no doors facing the condos, there's doors there now.

Alan Bongiovanni: Correct.

Commissioner Lenares: So it's just going to be, I don't want to use the words, clean up the lot, but it is just going to, everything is going to be encompassed on the building instead of being outside.

John Costello: Right now in the winter time, we have to take these machines and break them in half in order to get them into our building, so there is the advantage of not having to do that, but in the summertime, when it's nice outside, we don't bother breaking them in half, we work on them right here. So by virtue of having this building here in the summertime, when these machines

come and go from our yard, as they are being serviced, in the summertime, they will just be driven right in here so when the people in the condominium, there is a pool here, they are outside, right now they have to hear, they don't see because of the berm, but they have to hear what is going on. So in an ideal situation in the summertime, now they won't because the work will be going on inside, inside these bays where the mechanic's too's are and the air compressors are and the welding torches and everything that they use to work on them. In the wintertime it's not as much of an issue because there's not going to be much of a change because we work on them inside already. The advantage is to us in the winter that we won't have to break them in half to get them inside, the building is bigger. The advantage to the residential abutting property is in the summertime, because in the summertime right now we are using this space for repairing these pieces of equipment as they come and go. They go out on a job site for two weeks, they come back for a couple days, they go out for two weeks, they come back for a couple of days, so we're constantly circulating equipment in and throughout this area right here. If you drove into our yard today, you would see three dump trucks parked in here and maybe one of our large milling machines being worked on outside. In the summertime, we will now bring those inside making it a cleaner site, a quieter site, and a more productive site for our mechanics.

Commissioner Lenares: That's what I was trying to determine so that everybody on the board sees it that overall it would clean up the lot and there would be no visual stuff at all.

John Costello: Oh, absolutely. If you drove in our site right now, two o'clock in the afternoon, you'd find two dump trucks right here, with a mechanic's truck parked next to it, and guys working on it outside. Now that will all be indoors, just like you bring your car to a dealer, they don't work on the car outside, they bring the car into the shop, they do it indoors. That's the idea. Our business has just grown to where the two small bays that we have right now doesn't service the amount of equipment that we need to repair.

Alan Bongiovanni: And the equipment gets larger.

John Costello: And the equipment has gotten larger.

Chairman Hall: And we don't have to have any concern about the size of the doors or anything like that, that's just.....

Ed Meehan: If this wasn't, because of the setback requirements, they could add this on because it's the back of the building and it may be less than ten percent.

Alan Bongiovanni: I think it's over ten percent, but if it was small enough we could do it administratively.

Chairman Hall: Right, any other questions? I don't see any reason to keep this open.

Alan Bongiovanni: Thank you very much.

John Costello: Thank you.

VII. OLD BUSINESS

- A. PETITION 11-09 – 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032 attention Paul H. Selnau, applicant representing New Samaritan; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Special Exception Section 3.7.2 to construct 32 age restricted affordable housing units for seniors, R-12 Zone District. Public Hearing closed May 13, 2009. Sixty-five day decision period ends July 17, 2009.**

Commissioner Schatz moved that PETITION 11-09 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032 attention Paul H. Selnau, applicant representing New Samaritan; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Special Exception Section 3.7.2 to construct 32 age restricted affordable housing units for seniors, R-12 Zone District be approved the Commission finding that the applicant has adequately demonstrated a need for affordable housing for the elderly and compliance with the design criteria set forth in Section 3.7.2.

This Special Exception approval is limited to the development of this project by the New Samaritan Corporation and the site layout as presented to the Commission under companion Petition 12-09.

This Special Exception approval is based on the conveyance of 25, 216 square feet from the Newington Housing Authority to the Town of Newington to create a leased area of 2.20 acres. These 2.20 acres will be leased to the New Samaritan Corporation from the Town of Newington upon the approval of the Newington Town Council.

The Special Exception approval is further based on the granting of an easement of 12, 850 square feet over Newington Housing Authority property, Phase I New Meadow, to the Town of Newington granting public access from Mill Street extension to the New Samaritan leased property.

The motion was seconded by Commissioner Ganley.

Chairman Hall: Discussion? Ed, do you have anything to add to this?

Ed Meehan: No, I'll just tell you what the references are for the conveyance of the property, probably by quit claim from the Housing Authority to the Town and for the easement is, that's part of the puzzle to be able to move the project to the north end of the site as recommended by the Affordable Age Restricted Housing Study Committee.

The vote was unanimously in favor of the motion, with seven voting YES.

- B. PETITION 12-09 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032 attention Paul H. Selnau, applicant representing New Samaritan Corporation; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Site Development Plan approval Section 5.3 to construct 32 age-restricted affordable housing units for seniors. Inland Wetland Report required. Inland Wetland Report required. Sixty five day decision period ends July 17, 2009.**

Commissioner Casasanta moved that PETITION 12-09 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032

attention Paul H. Selna, applicant representing New Samaritan Corporation; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Site Development Plan approval Section 5.3 to construct 32 age-restricted affordable housing units for seniors be approved based on the following:

1. Special Exception PETITION 11-09 finding and requirements.
2. Conservation Commission's Inland Wetland report Application No. 2009-04 approving by Summary Ruling site construction activities within the 100 foot buffer upland review area.
3. Site Plan drawing, Scale 1" = 20' entitled: "New Meadow Elderly Housing Mill Street Extension" prepared by Henry Schadler Associates, P.C. and To Design, Inc., Civil Engineering, Sheet L-1 to L-6.4; ES-1 Erosion Control Plan; E5.01 Electrical Site Plan Details; as revised 5-13-2009, and architectural Sheets A-1 to A-7.
4. Prior to the issuance of the project's Certificate of Use and Occupancy the applicant's engineer shall certify to the Town Engineer that the development's storm water system has been installed in accordance with the approved plan.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Ed, anything to add?

Ed Meehan: The only important detail is the plan, as revised 5-13-2009, those revisions reflect the movement of the utility systems, transformer, chiller and compressor, emergency generator to the west side of the property.

The vote was unanimously in favor of the motion, with seven voting YES.

C. PETITION 08-09 Assessor Map SW 1865, .93 acre vacant parcel located between 115 and 173 Pane Road, NB Realty Group, LLC owner, Quality Customer Construction, 160 Jerome Avenue, Burlington, CT 06013, applicant, request for Site Plan approval Section 5.3, 4,500 sq. ft. light industrial use building, PD Zone District. Sixty five day decision period ends July 17, 2009.

Commissioner Pruett moved that PETITION 08-09 Assessor Map SW 1865, .93 acre vacant parcel located between 115 and 173 Pane Road, NB Realty Group, LLC owner, Quality Custom Construction, 160 Jerome Avenue, Burlington, CT 06013, applicant, request for Site Plan approval Section 5.3, 4,500 sq. ft. light industrial use building, PD Zone District be approved based on the following:

1. Site development plan prepared for Partner Machine, LLC, Scale 1" = 20' revised May 7, 2009, Sheets 1 to 4, by Robert Green Associates, LLC, Surveyors and Engineers.
2. Landscape and Lighting Plan, Partner Machine, LLC, Scale 1" = 20', dated March 4, 2009 with the following modifications:
 - a. List number of plantings and increase size of shrubs to 18" to 24" (Section 6.1.3 G.) Add additional landscape area along foundation of Pane Road frontage.
 - b. Specify wall pack lights with cut offs.

3. Prior to the issuance of the Certificate of Use and Occupancy the project engineer shall certify to the Town Engineer that the storm water management system was installed in accordance with the approved plan.
4. Building elevations showing a split face block building as shown on plan prepared by Glenn Lachance, Quality Customer Construction, Inc., scale 1/4" = 1' for Partner Machine, LLC and presented as it was presented to the Commission May 13, 2009.

The motion was seconded by Commissioner Casasanta

Chairman Hall: Ed, anything to add on this?

Ed Meehan: No.

Commissioner Aieta: I saw the plan on this, and the whole building is going to be split face or is it split face with metal seam building? Or is this motion changing it to a split face block?

Ed Meehan: No, it's a combination of split face and siding. The east side, which is really the front is split face and the entry is brick. The front as it faces Pane Road is split face, the gable is siding and part of the west side, to a point I think maybe twenty-five, thirty feet down the building is split face, the rest of it is siding.

Commissioner Aieta: I was just curious why you had the item four where you were specifically calling for split face block building.

Ed Meehan: Well this is because the original building plans that came in were all steel, and we asked them to change it to block and brick, so I wanted to reflect that in the motion.

Commissioner Aieta: Thank you for the clarification.

The vote was unanimously in favor of the motion, with seven voting YES.

D. PETITION 14-09 – 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required. Sixty-five day decision period ends July 17, 2009.

Commissioner Lenares moved that PETITION 14-09 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District be postponed to June 10, 2009.

The motion was seconded by Commissioner Pruett.

Chairman Hall: Ed?

Ed Meehan: We are waiting on the Conservation Commission Inland Wetland report for this project before you can act on it. That's why we postponed it.

The vote was unanimously in favor of the motion, with seven voting YES.

8-24 Referral Report
Municipal Parking Lot
Improvement Project 2009

Commissioner Ganley moved that the Commission report to the Town Council pursuant to 8-24 Referral the following favorable findings in support of the municipal parking lot improvement project:

1. The concept and design of central municipal parking lot has been a recommended public improvement goal in every Town Plan of Development since 1957.
2. The draft site plan for construction of the municipal parking lot entitled "Municipal Parking Lot Improvement Project – Market Square" prepared by BL Companies Scale 1"=30', Sheet SP-1, revised dated May 20, 2009 is consistent with Plan of Development Economic Component's goal and strategies.
3. The acquisition of 25, 629 sq. ft. vacant rear parcel on the westerly side of the parking lot will enable construction to proceed in an orderly manner insuring that site grading, drainage control, parking layout, lighting and landscaping are coordinated with abutting Town owned property. The acquisition of a sidewalk easement along the westerly side of 100 Market Square will provide safe pedestrian connection into the parking area.

Chairman Hall: We need to correct that, it really should be the easterly side of 100 Market Square.

4. The site plan design complies with the Zoning Regulations standards to parking space size and travel aisle width, storm water management control for "0" run off and water quality structures to reduce sedimentation. The proposed 400 public parking space design is consistent with the Town Center Village Overlay District Design Standards (Section 3.12.A.) This 400 space parking court, including 8 handicapped spaces, is adequate for the current 78, 000 square feet of development abutting the parking lot and could accommodate additional new infill development of approximately 36,000 square feet.
5. The proposed pedestrian sidewalk network will provide safe internal walking options within the parking lot and good access to Main Street and Market Square.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Ed? Any, except for the change, I mean.

Ed Meehan: Except, I'm sorry, that should be easterly, 100 Market Square is on the easterly side of the driveway, opposite Steve's.

Commissioner Casasanta: Two questions, number one, with this change do we need to make a motion to amend the motion? Making it easterly instead of westerly.

Chairman Hall: I think we'll call it a Scribner's error.

Commissioner Casasanta: Okay, fine. And then just for my own clarification of my own ignorance, is number three the acquisition of the vacant rear parcel, is that the Bonelli property?

Ed Meehan: Yes it is.

Commissioner Casasanta: That's what I thought.

Chairman Hall: Any other questions?

The vote was unanimously in favor of the motion, with seven voting YES.

VIII. PETITIONS FOR SCHEDULING (TPZ July 10, 2009 and June 24, 2009.)

- A. PETITION 16-09 – Hunter Development Company, P.O. Box 366 East Long Meadow, MA 01028 Attention Michael Friesbie applicant, HDC One, LLC owner request for amendment Section 5.2.5 , Special Exception, B-BT Zone District. Schedule for public hearing June 10, 2009.

Chairman Hall: This would be the 10th and the 24th. We kind of know what the 24th is going to be. Any comments?

Ed Meehan: On Mr. Friesbie, Hunter Development, I saw Mike Friesbie at the Economic Development breakfast last Friday. We had a little chat, you know, I'm obligated to take his application and process it for Public Hearing because it is an amendment to the Special Exception, and he is going to discuss with his attorney a letter clarifying what he really is intending because he just filled out his application, amend special exception, so I said, before you come to the board, so I can put this down for public hearing notice, the public needs to know and the Commission is going to know a little bit more detail, and he is going to provide that, hopefully between now and the first time that it goes before you. That's the question, do you want to schedule this for the 10th? You have sixty-five days from tonight to schedule it. You don't have to schedule it right away, you can take sixty-five days.

Chairman Hall: Well, it would have to go into July, because I don't want it on the 24th. I want to leave the 24th as clean as possible. So.....

Ed Meehan: The only other thing you have coming up, and it's not on the agenda right now is the folks up at Balf Quarry submitted their two year Quarry Plan. Every two years they need to get that before you for their operations and plan. It's basically a site plan that shows what they are doing and what they plan to do. That usually takes fifteen to twenty minutes.

Chairman Hall: And that would be on the 10th as well?

Ed Meehan: You could do that on the 10th, and if you did Mr. Friesbie on the 10th, and any comments on the Plan, that would be pretty much it for right now.

Chairman Hall: All right.

IX. PUBLIC PARTICIPATION

For items not listed on agenda)

None.

X. REMARKS BY COMMISSIONERS

Commissioner Pruett: Any new inquiries on vacant property, you know, Applebee's or the former Krispy Kreme or any of those.

Ed Meehan: Nothing on those two sites. There is a parcel of land which is next to the former Krispy Kreme that has frontage on the Berlin Turnpike that the Department of Transportation offered the town. It was discussed by Council last night. The town is going to pass on that. I think we will try to see if the adjacent property owner might be interested in it, because it would improve their site. It would add additional property for parking, it would expand their site. There is very limited frontage on the turnpike, only about sixty feet.

I did, was part of a conversation the other day again with Gail Whitney from the Chamber who mentioned that she had a possible contact with Lowry Place, that she was going to talk to the Mayor about, and the Town Manager. I don't know if a meeting has been set up on that or not. That was just through the grapevine.

Sam's is still on schedule to open mid-June. Dunkin Donuts, Mr. D'Addeo, the developer of that site is looking for a c.o., probably by the end of this week. He posted his bond today for that site, so that should be open, stocked and ready to go.

Commissioner Ganley: How about the gas station at Sam's?

Chairman Hall: It's open.

Commissioner Ganley: It is open?

Chairman Hall: It's been open about a week and a half.

Commissioner Ganley: Oh it has? Okay, thank you.

Chairman Hall: Doesn't look open.

Ed Meehan: I'm not sure, I thought that was supposed to be connected to your Sam's Club membership and check-outs.

Chairman Hall: It is, you just scan your card, and then however you want to pay for it follows.

Commissioner Schatz: Somebody said to me they heard, and couldn't understand why I didn't know about it, that Sonic was looking at the Krispy Kreme building.

Commissioner Camerota: Oh, that's going to create another, like Krispy Kreme, it will be the only one if the state, I can see it now.

Commissioner Casasanta: Could you give me thirty days notice so I can put my condo on the market before they start?

Commissioner Schatz: The next comment was, why would they want the building and I said, drive through windows.

Chairman Hall: That's right, now is that grandfathered?

Ed Meehan: No, that window was removed.

Commissioner Schatz: Was it?

Ed Meehan: Yeah, the bank put it's ATM in and took out the drive through window for food, and it's not permitted in the regulations any more. The last two that were permitted were Dunkin Donuts and Starbucks.

Commissioner Pruet: And Starbucks is.....

Ed Meehan: On the back burner right now. The whole corner is, still moving forward with the Department of Transportation and Mr. Hayes, and we do have our, they call remedial action plan for National Welding, we've got prices and a ballpark estimate for remediation. When we resolve access issues to Fenn Road we will put a RFP out and see if we can get somebody interested in that site. The squatter that is in there is supposed to be out the end of this week. Supposed to have his equipment out of there.

Commissioner Schatz: Looks like they moved more in.

Ed Meehan: We got a little concerned because he moved a lot of concrete debris in there and they gave him another ten days. I'd like to have him out of there because we just, we don't know what he brings in, what he brings out. We have a baseline environmental study of Phase Three in this remedial action plan, and would like to put it out as we know it and not have some surprise.

XI. STAFF REPORT

Ed Meehan: At the last meeting Commission members asked about, we talked about digital signing, the high school, some history on that. On the table there is a packet that goes back, just quickly, I think it was Domenic that asked what the history was on Walgreen's and on the Fire Station One, so I went back through the records with I think it was Rich Schillaba and the efforts to do an internally lit sign at Fire Station One. That conversation's here and the Town Manager, Paul Featherston, in his administrative letter on the consistency of signage for Town Properties, that came before the TPZ in July of 2004, about gateway signs and type of signs, so that information is here, and then the Walgreen's information is here. It's apparent that we have to go back down again to the manager of Walgreen's. Attorney Sabatini represented the developer of that site, and he's a good attorney, I've got to tell you, the way that he answers questions. It could be once a day, it could be several times a day, it could be.... We checked it out the other day. It was changing digitally about every minute and a half so that is not the intent that I read that the Commission had in mind when they approved that sign. I think the whole history is here. I did talk to the Town Manager and I know that Commission Ganley had a conversation with John Salomon, to follow up on your last meeting, and the Manager will wait until after tonight or whenever you get around to talking about this and then will get your input and then will either leave the policy alone, or will change it. He's just looking for guidance.

Commissioner Ganley: We gave him a little piece of language. I spoke to him, Bernie and (inaudible) at the awards dinner for the Chamber and I told all three of them that they have to solve the problem for us because the administrative letter precludes us taking any action. So I said, you've got to tell us how you want us to make it happen.

Ed Meehan: Well, based on what I found, that administrative letter is based on this Commission's recommendation that the signs be wood carved, and not internally lit, and that there be ground lighting, so if you want to flip that around, you have to let the Town Manager know that.

Commissioner Aieta: That has been the precedent for a number of years and it's obvious according to the regulations that the sign at Walgreen's is an illegal sign. It was when the Commission approved it, it was obvious when they put it up that it was an illegal sign and it is still there. I don't know how you perpetuate an illegal sign, and I don't know how the Commission can

act on it, and I read the minutes and I read the information. I don't know how you could act on even the recommendation from the Board of Ed asking for a sign that's not permitted in our zoning regulations. There is a vehicle that you have to change the regulations to do that.

Ed Meehan: Well, I think there are two things, one we have to tighten up our enforcement with Walgreen's, we have to go down and remind them again that they can't have that thing changing every minute and a half. It's got to, if they are going to sell Advil, you know, the way that the Commission approved it, the way that I read the minutes, was it's there for the whole day. Advil, for \$1.50 or whatever it is. It's not every two minutes. So that is one issue, that is an enforcement matter. The other one is the request by the Board of Ed for this electronic sign out in front of the high school. If it's the will of the Commission that some sort of exception or change in standards be allowed for town signage, it's just not going to be the high school, it will probably be all town signs. If you want to do that precedent, that is up to you, again, it's not your regulation, it's the Town Manager's regulation, but the way it evolved was with the consensus of this Commission, not just the sign face and it's electronic characteristics, but the whole issue of a colonial motif, consistency, a brick base, a hierarchy of signage from our gateway areas to our parks. We had such a random display of signs, I think we have made some improvements based on this administrative letter, but it's a preference choice that Lou brought to you. He had discussions with me, I said, you know, I think you are opening Pandora's box, if you do it for one, you've got to do it for everybody, but again, that's the Commission's decision.

Commissioner Ganley: What we are referring to in that administrative letter, what we are being asked to consider, is what to do on public land, okay, and that sets the precedent, so in fact, I suspect the other grammar schools, if they want one, because that is public property, we could do something out on Town Hall because that is public property, so that is what this letter addresses, the public aspect. It's going to be another issue entirely how we deal with private developers pursuant to what they want to put on their sites. That may be cause for another type of regulation with another type of discussion. I mean, we have to split this thing in half, we can't claim, if you say this for the schools, and a guy wants to put in an apartment house up in the center, can come in and say, you must now give me a digital sign. I don't think that is the case.

Ed Meehan: No, that would require a public hearing and an amendment of your regulations.

Commissioner Pruett: Is the town manager looking for our recommendation to revise his, Featherston's former edict on this?

Ed Meehan: Yeah, I think he's looking for the sense of the Commission because he knows from the conversations that I have had with him and the history of how that administrative policy came into being for town departments and the direction that was set, that a lot of it evolved from this board, going back to the whole discussion starting with Fire Station One and the fact that they wanted a digital electronic sign back in 2001 I think it was, and how that evolved over the years and the fact that the Commission has really set the bar higher, particularly in the town center. Remember the conversation that we had with Dunkin Donuts and the First Congregational Church, so that's where it is. I understand what Tom is saying. You are always faced with that, well, how come they can do it, but we can't do it. We can explain why, the Town has exempted itself from zoning, technically.

Commissioner Casasanta: Actually I was just going to ask that very question, didn't we discuss last week, the Town exempted itself from zoning, so theoretically even if we said no, they could turn around and do it anyway, theoretically.

Ed Meehan: Yes, they could. I think they came here in the spirit of cooperation and they know that the way that the A-frames pop up and down there now, it's not the greatest in the world.

Commissioner Schatz: The day we discussed this I was on my way to the Cape and there is a technical school up there that has that sign and it was probably, approximately five or six feet tall, eight feet wide, two thirds of the sign itself was block letters, not lit up, it just said the school, and what it was, and then the other third had just two lines on it and it was in red, and I said, red's no good. But it was funny, we were talking about it, and there it was.

Chairman Hall: If you want to take a field trip a little closer, Lewis Mills High School, which is Burlington's high school at the intersection of George Washington Turnpike and Spielman Highway, maybe not that far, but anyway, they have one, but it's at a traffic light so actually when you are at the light, you can read it. It changes pretty quickly. In the time that I was at that light, I read four separate items. It was orange. The base brick was an orangey brick and then they had the orange digital, and you could see if coming down the street as you were getting to the light, so if you want to see what it could be, it's similar to the one at the Firehouse in Rocky Hill on Route 160, but the letters were bigger at Lewis Mills, they were huge.

Commissioner Lenares: One thing that came to my mind was if they, whether we approve it or not, they end up doing it, I believe it was Chairman Hall that said we're kind of opening up ourselves to having all of the schools do it, and that point like, sticks right here you know, then every town building, if the high school can do it, why not Martin Kellogg or Anna Reynolds. I mean, it is beautiful, but it kind of opens it up to they can do it. It's kind of like a hidden rule that they can do it that they are not acting on is what I'm saying. The whole minute and a half thing at Walgreen's, I was at the light, the day after the meeting, and it was every fifteen seconds. I was, I probably won't admit this in open public, but I was like looking at my watch, looking at the sign, saying, every fifteen seconds this thing is changing.

Commissioner Camerota: It's like that most of the time now. It wasn't like that originally.

Ed Meehan: No, it depends on the managers. We run through different managers, we get different excuses, so it's time to go back and remind them that this is the bargain that they cut with the Commission, because it was the first electronic sign that came through and you know, if you read the minutes, everyone was focused on the brick pillars, and the decoration of the sign, and the electronic issue comes up, Vinny Camilli was Chairman at the time, he asked about, is it on for one day, how often does it change. The attorney said, once a day, and then later in the conversation, well, maybe more than once.

Commissioner Lenares: Isn't it illegal, no matter how many times a day according to our regulations?

Ed Meehan: Well, I would say, no more than once a day. That's the way the Commission acted on it. That's the impression I had.

Commissioner Casasanta: Well, theoretically shut the sign off, next day you can turn it on.

Chairman Hall: Well, that's the thing, they are not turning it off at night because I have come by at midnight and it's on.

Commissioner Casasanta: Which it's not supposed to be.

Chairman Hall: Definitely have to have a talking to.

Ed Meehan: The camel's nose is in the tent, and it's hard to get the camel out once they get in there.

Chairman Hall: Well, camels don't go in reverse, that's why.
Any other comments, questions? Ed, are you.....

Ed Meehan: I'm done.

XII. ADJOURNMENT

Commissioner Kornichuk moved to adjourn the meeting. The motion was seconded by Commissioner Casasanta. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary